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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,756	12/29/2003	Jonnathan H. Kim	WJT001-0016C1 Time.100.1	6131
7590 07/08/2005 WILLIAM J. TUCKER 14431 GOLIAD DR. BOX #8 MAIAKOFF, TX 75148			EXAMINER GREGORY, BERNARR E	
			ART UNIT 3662	PAPER NUMBER

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/747,756

Applicant(s)

KIM, JONNATHAN H.

Examiner

Bernarr E. Gregory

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 30, 31, 35, and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Kath ('599).

With respect to independent claim 30, Kath ('599) plainly detects "at least one condition within said building" in that it is a thermostat system. Further, Kath ('599) transmits "an impulse radio signal containing sensor related information" in that the transmitted signal in Kath ('599) is pulse modulated as mentioned at column 7, lines 55-65 of Kath ('599). The "air conditioning control assembly" of Kath ('599) performs the claim 30 step of "receiving said impulse radio signal" in that the Abstract states that the transmissions are to the "air conditioning control assembly." The final step of claim 30 of "controlling at least one device associated with said building based upon said sensor related information" is met by the controlling of the air conditioner in Kath ('599).

With respect to the further limitations of dependent claim 31, the condition of "temperature" is met by Kath ('599) as a thermostatic system and method.

With respect to the further limitations of dependent claim 35, the claimed "cooling system" is met by Kath ('599).

With respect to the further limitations of dependent claim 37, the claimed "thermostat" is met by Kath ('599).

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-29, 32-34, 36, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kath ('599) or Bruins et al ('279).

With respect to the limitations of independent claim 2, each of Kath ('599) or Bruins et al ('279) meets all of the claimed limitations as set forth in claim 2 except for the use of the ultrawideband, carrierless mode of transmission. It would have been obvious to one of ordinary skill-in-the-art to use the old and well-known ultrawideband, carrierless mode of transmission in either of Kath ('599) or Bruins et al ('279) in that they are used within buildings and in that it is old and well-known in the art that ultrawideband, carrierless radio signals penetrate walls well within buildings.

The further limitations of dependent claim 3 are fully met by the applied art as modified hereinabove since the limitations of "temperature," "presence of a person," and "motion" are met by one of the two applied references.

The further limitations of dependent claim 4 would have been obvious to one of ordinary skill-in-the-art in that the general principal in each of the applied references of wireless transmission of sensor data could be used for carbon monoxide detectors as well as with thermostats or security systems.

With respect to dependent claims 3, 4, and 9, please note at column 7, lines 1-12 of Bruins et al ('279) that there is mention of "sensors like a smoke/fire detectors [sic], a carbon-monoxide detector, a water detector or a gas detector." The further limitations of dependent claim 5 are fully met by Bruins et al ('279) as a security system.

The further limitations of dependent claim 6 would have been obvious to one of ordinary skill-in-the-art in that the sensors in at least Bruins et al ('279) could be the old and well-known radar intrusion detectors as being just one variety of the sensors shown in Bruins et al ('279). For example, see column 7, lines 1-15 of Bruins et al ('279), where "intrusion/motion detectors" and "motion detectors" are mentioned.

The further limitations of dependent claim 7 are met by the applied references at least as to the "cooling system" and the "alarm."

As for the further limitations of dependent claim 8, it would have been obvious to one of ordinary skill-in-the-art that the security system of Bruins et al ('279) could have a "sprinkler system" in that it is common to combine fire detectors and smoke detectors with security systems in buildings, and in that typically fire detectors are used to set off sprinkler systems in commercial buildings.

The further limitations of dependent claim 9 are met at least as to the limitations of "thermostat" and "motion sensor."

As for the further limitations of dependent claim 10, the sensors in each of the applied references are "movable" in that they are not permanently fixed to the building structures.

The remarks with respect to claims 11-29, 32-34, 36, and 38 are substantially those made with respect to claims 2-10 hereinabove.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fullerton et al ('903) is of interest as being very close to Applicants' invention in that it shows an intrusion detection system using TM-UWB.

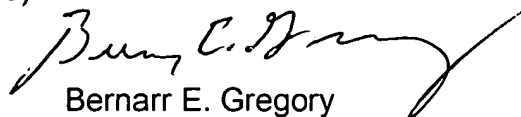
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr E. Gregory whose telephone number is (571) 272-6972. The examiner can normally be reached on weekdays from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza, can be reached on (571) 272-6979. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Bernarr E. Gregory", with a long, sweeping horizontal stroke extending to the right.

Bernarr E. Gregory
Primary Examiner
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